

- n. Dichlorodimethyl ether;
- o. Dibromodimethyl ether;
- p. Cyanogen chloride;
- q. Ethylbromacetate;
- r. Ethyliodoacetate;
- s. Brombenzylcyanide;
- t. Bromacetone;
- u. Brommethylethyl ketone.

CATEGORY VI

- (1) Propellant powders;
- (2) High explosives as follows:
  - a. Nitrocellulose having a nitrogen content of more than 12.20 %;
  - b. Trinitrotoluene;
  - c. Trinitroxylenes;
  - d. Tetryl (trinitrophenol methyl nitramine) or "tetranitromethylaniline";
  - e. Picric acid;
  - f. Ammonium picrate;

- g. Trinitroanisole;
- h. Trinitronaphthalene;
- i. Tetranitronaphthalene;
- j. Hexanitrodiphenylamine;
- k. Pentaerythritetetranitrate (penthrite or pentrite);
- l. Trimethylenetrinitramine (hexogen or T<sub>4</sub>);
- m. Potassium nitrate powders (black salt-peter powder);
- n. Sodium nitrate powders (black soda powder);
- o. Amatol (mixture of ammonium nitrate and trinitrotoluene);
- p. Ammonal (mixture of ammonium nitrate, trinitrotoluene, and powdered aluminum, with or without other ingredients);
- q. Schnerdite (mixture of ammonium nitrate and dinitronaphthalene, with or without other ingredients).

## Subchapter F—Reparations

### PART 301—WORLD WAR II

Sec.

- 301.30 Authority to accept reparations payment. [Amended]
- 301.31 Redlegation of authority to accept reparations payment. [Added]

AUTHORITY: §§ 301.30 and 301.31 issued under R.S. 161, 60 Stat. 754; 5 U.S.C. 22.

SOURCE: §§ 301.30 and 301.31 contained in Departmental Regulation 108.58, Assistant Secretary of State, Nov. 28, 1947, effective Dec. 5, 1947, 12 F.R. 8152.

§ 301.30 *Authority to accept reparations payment.* The Chief of the Division of Occupied-Area Economic Affairs, under the general direction of the Assistant Secretary—Economic Affairs, and in accordance with current general policies of the Department, shall be responsible for negotiating for and accepting on behalf of the United States Government both property and funds allocated to the United States as reparations payments. The Chief of the Division of Occupied-

Area Economic Affairs, acting for the Department of State as the owning agency in case of physical property, will declare such property surplus, when appropriate, and make it available to the proper disposal agency subject to such special considerations as are contained in the international agreements under which such property is allocated to the United States. Funds received, either directly as reparations payments or as a result of sales of physical property, will be deposited in a special account in the United States Treasury. More specifically, the Chief of Division shall: [First paragraph amended]

§ 301.31 *Redlegation of authority to accept reparations payment.* The authority granted to the Chief of the Division of Occupied-Area Economic Affairs under § 301.30 may be redelegated to appropriate officials of the United States Government.

## Subchapter G—Foreign Aid [Added]

### PART 401—AID TO WAR-DEVASTATED COUNTRIES

#### Subpart A—Regulations of the President

Sec.

- 401.1 Regulations for carrying out the provisions of the act entitled "An Act to Provide for Assistance to Greece and Turkey."
- 401.2 Regulations for carrying out the provisions of the joint resolution entitled "Joint Resolution Providing for Relief Assistance to the People of Countries Devastated by War."

Sec.

- 401.3 Providing for the administration of the Foreign Aid Act of 1947.

#### Subpart B—Regulations of the Secretary of State

- 401.101 Authorization for ocean transportation.
- 401.102 The Advisory Committee on Voluntary Foreign Aid.

#### Suhpart A—Regulations of the President

§ 401.1 *Regulations for carrying out the provisions of the act entitled "An Act to Provide for Assistance to Greece and*

*Turkey*”—(a) *Authorization to Secretary of State.* Subject to such policies as the President may from time to time prescribe, the Secretary of State is hereby authorized, through such departments, agencies, and independent establishments of the Government as he may designate, to exercise any power or authority conferred upon the President by the act, including expenditure of funds made available for the purposes of the act.

(b) *Functions and authority of Chief of Mission.* The Chief of Mission to Greece or Turkey appointed by the President pursuant to section 8 of the act (Pub. Law 75, 80th Cong., 61 Stat. 103) shall, under the guidance and instructions of the Secretary of State, direct United States activities within Greece or Turkey, as the case may be, in furnishing assistance under the act. The Secretary of State may delegate to the Chief of Mission such powers or authority conferred by this section as he may deem necessary and proper to the effective carrying out of the provisions of the act and of the basic agreement with the Government of Greece or Turkey, as the case may be, setting forth the general terms and conditions under which assistance is to be furnished.

(c) *Inter-agency cooperation.* The Secretary of State shall provide, and at his request other departments, agencies, independent establishments, and officers of the Government shall cooperate in providing to the extent considered feasible in keeping with their other established governmental responsibilities and to the extent that funds may be available therefor, such personnel, together with their compensation, allowances, and expenses, and such administrative supplies, facilities, and services as may be necessary and proper to the effective carrying out of the provisions of the act.

(d) *Authority to be exercised by Secretary of State.* Subject to the provisions of paragraph (b), the powers and authority conferred upon the Secretary of State by this section shall be exercised by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of State as he may designate, in the interest of effective administration and proper coordination of functions under the act.

(e) *Responsibilities of other agencies.* The Secretary of State shall make appropriate arrangements with the Secre-

taries of War and the Navy, and the heads of other Government departments, agencies, and independent establishments concerned, in order to enable them to fulfill their responsibilities under the act. (Pub. Law 75, 80th Cong., 61 Stat. 103) [E.O. 9857, May 22, 1947, 12 F.R. 3331]

§ 401.2 *Regulations for carrying out the provisions of the joint resolution entitled "Joint Resolution Providing for Relief Assistance to the People of Countries Devastated by War."* (a) The Secretary of State is hereby authorized:

(1) To exercise the authority vested in the President by sections 2, 3, and 4 of the joint resolution, except with respect to the appointment of the field administrator pursuant to section 4.

(2) To take such other action, not inconsistent with the authority reserved to the President, as may be necessary for providing relief assistance in accordance with the terms of the joint resolution, including the making of such arrangements with the heads of other Executive departments, agencies, and independent establishments of the Government as may be necessary and proper for carrying out the provisions of the joint resolution.

(3) To exercise the authority vested in him by this order directly or through the field administrator appointed pursuant to section 4 of the joint resolution or through such officers and employees of the Department of State, including those of the Foreign Service, as he may designate to act on his behalf.

(b) The field administrator shall act under the guidance and in accordance with the instructions of the Secretary of State. (Pub. Law 84, 80th Cong., 61 Stat. 125) [E.O. 9864, May 31, 1947, 12 F.R. 3559]

§ 401.3 *Providing for the administration of the Foreign Aid Act of 1947.* (a) The Secretary of State is hereby authorized and directed:

(1) To perform the functions and exercise the powers and authority vested in the President by the Foreign Aid Act of 1947 (hereinafter referred to as the act), exclusive of sections 11 (b) and 11 (d) thereof: *Provided That*—

(i) In designating, under section 3 of the act, the existing departments, agencies, or independent establishments of the Government through which certain

functions, powers, and authority under the act shall be performed or exercised, the Secretary shall act with the concurrence of the department, agency, or establishment concerned in each case.

(ii) In promulgating, under section 4 of the act, any regulations controlling the purchase or procurement of commodities, and in promulgating, under section 10 of the act, any rules and regulations necessary and proper to carry out any of the provisions of the act, the Secretary shall, to the extent that any such rule or regulation affects the operations of any agency, establishment, or department other than the Department of State, act with the concurrence of the agency, establishment, or department concerned in each case.

(iii) In making the determinations, required under paragraphs 2 and 3 of section 4 of the act, whether commodities to be purchased or procured under the act are in short supply in the United States, the Secretary of State shall act on the advice of the heads of the appropriate departments, agencies or establishments.

(iv) In making the determinations required under subsection (e) of section 11 of the act, whether a commodity required by any agency of the Government under any price support program is in excess of domestic requirements, the Secretary of State shall act on the advice of the Secretary of Agriculture; and such determinations shall be restricted to those necessary in connection with aid to the recipient countries, as defined in the act.

(2) To take such other action, not inconsistent with the act and this order, as may be necessary to provide aid in accordance with the provisions of the act, including the making of provisions for such personnel, supplies, facilities, and services as shall be necessary to carry out the provisions of this order, and the making of such arrangements with other departments, agencies and independent establishments of the Government and with other countries and international organizations as may be necessary and proper for carrying out the provisions and accomplishing the purposes of the act.

(b) The field administrator referred to in section 10 of the act, in exercising his responsibility for administering in

the recipient countries the program of assistance provided for in the act, shall act under the guidance and in accordance with the instructions of the Secretary of State.

(c) All funds appropriated to carry out the provisions of the act by the Third Supplemental Appropriation Act, 1948 (such funds being in the amount of \$522,000,000), are hereby transferred to the Department of State, to be administered in accordance with the provisions of the act (as implemented by this order) and of the said appropriation act. (Pub. Law 389, 80th Cong.) [E.O. 9914, Dec. 26, 1947, 12 F.R. 8867]

#### Subpart B—Regulations of the Secretary of State

**CODIFICATION:** Subpart B was originally codified as Part 99, but was redesignated by Departmental Regulation 108.62, Dec. 19, 1947, effective Dec. 24, 1947, 12 F.R. 8773.

**AUTHORITY:** §§ 401.101 and 401.102 issued under Pub. Law 84, 80th Cong., 61 Stat. 125, Pub. Law 271, 80th Cong., 61 Stat. 610; E.O. 9864, May 31, 1947, Title 3, *supra*.

**SOURCE:** §§ 401.101 and 401.102 contained in Departmental Regulation 108.54, Assistant Secretary of State, Oct. 5, 1947, effective (except as noted following provision affected) July 1, 1947, except that in regard to relief supplies shipped to occupied areas the effective date is Aug. 1, 1947, 12 F.R. 7354.

§ 401.101 *Authorization for ocean transportation.* Payment for ocean transportation of relief supplies donated to or purchased by American voluntary and non-profit relief agencies shall be authorized or approved only when:

(a) The applicant is recorded with the Advisory Committee on Voluntary Foreign Aid, on forms specifically provided therefor, as an American voluntary and non-profit relief agency which is not engaged in commercial or political activities, is governed by an active and responsible body of American citizens who serve without compensation, whose accounts are audited by a Certified Public Accountant and which currently reports its activities and operations to the Committee for public inspection, including programs, projects, budgets, income and expenditures, transfers of funds and exports of commodities abroad, supplemented by such other information as the Committee may deem necessary.

(b) The applicant has obtained assurances from the Government of the coun-

try in which the supplies are to be distributed that appropriate facilities are afforded for the necessary and economical operations of the program; the Advisory Committee approves the applicant as competent to carry out the program; and the applicant's consignees are acceptable to the Advisory Committee.

(c) The supplies are to be distributed to persons who are eligible to receive general relief assistance from the appropriation "Relief Assistance to War-Devastated Countries" or the appropriation "Government and Relief in Occupied Areas", contained in "The Supplemental Appropriation Act, 1948", and who are in countries or areas receiving such assistance.

(d) The supplies shipped are in such quantities and kinds and for such purposes as to constitute essential supplements to the supplies specified for general relief assistance in the act of May 31, 1947.

(e) The charges claimed for reimbursement are for actual transportation of the supplies from shipside at port of loading to end of ship's tackle at port of discharge as correctly assessed by the carrier for freight on a weight, measurement, or unit basis, and free of any other charges except surcharges for such transportation as may be currently in effect.

*[Preceding paragraph, in small type, superseded by following paragraph during period covered by this Supplement]*

(e) The charges claimed for reimbursement are for actual transportation of the supplies from shipside at port of loading to end of ship's tackle at port of discharge as correctly assessed by the carrier for freight on a weight measurement, or unit basis, and free of any other charges except surcharges for such transportation as may be currently in effect; *Provided*, That when other funds or services are not available, claims may be made for necessary expenses incurred at port of shipment for transfer, repacking, stevedoring, and other handling costs, by American voluntary and non-profit relief agencies specifically authorized to incur such charges. [Paragraph (e) amended by Dept. Reg. 108.55, Oct. 18, 1947, effective Nov. 25, 1947, 12 F.R. 7901]

(f) The applicant has provided satisfactory assurances that:

(1) The supplies essentially supplement the supplies provided for general relief assistance by the United States.

(2) The supplies are free of customs duties, other duties, tolls, and taxes, and are treated as supplementary to, rather than a substitute for, the regular rations in the country of consumption.

(3) The full responsibility is assumed for the non-commercial distribution of the supplies free of cost to the person ultimately receiving them, and that distribution is under the supervision of American personnel.

(4) The supplies are, to the extent practicable, identified as to their American origin, and that all practical steps are taken at the time of distribution to inform the ultimate consumer that such supplies have been freely provided by a voluntary agency of the United States of America.

§ 401.102 *The Advisory Committee on Voluntary Foreign Aid.* The Advisory Committee on Voluntary Foreign Aid, appointed by the Secretary of State and the Secretary of Agriculture jointly on May 14, 1946, at the request of the President, to succeed the President's War Relief Control Board, is hereby authorized and empowered:

(a) To receive applications for reimbursement, on forms specifically provided therefor, together with such other documents as may be required by the Government of the United States as evidence of payments for the cost of ocean transportation by claimant agencies.

(b) To review such applications at the close of the first quarter of the fiscal year ending June 30, 1948, and thereafter at the close of each succeeding month during the fiscal year 1948 in which the supplies are shipped, in relation to:

(1) The fulfillment of the conditions set forth in § 99.1.

(2) The equitable apportionment of the funds available among the respective claimant agencies.

(c) To certify or withhold certification for payment, in whole or in part, applications of the claimant agencies for reimbursement.